

DOCKET No. 2002.04.003.WS0
U.S. SERIAL No. 10/080,889
PATENT

REMARKS

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Claims 1-30 were originally filed in the present application.

Claims 1-30 are pending in the present application.

Claims 1-30 were rejected in the April 18, 2007 Office Action.

No claims have been allowed.

Claims 1, 6, 11, 16, 21 and 26 are amended herein

Claims 1-30 remain in the present application.

Reconsideration of the claims is respectfully requested.

In Section 2 of the April 18, 2007 Office Action, the Examiner rejected Claims 1, 6, 16 and 21 under 35 U.S.C. §103(a) as being unpatentable over U. S. Patent No. 5,937,019 to Padovani in view of U. S. Patent No. 6,804,522 to *Lindskog, et al* (hereafter, simply "Lindskog"). In Section 3 of the April 18, 2007 Office Action, the Examiner rejected Claims 2, 7, 17 and 22 under 35 U.S.C. §103(a) as being unpatentable over the Padovani reference and the Lindskog reference and in further view of U. S. Patent No. 6,112,088 to *Haartsen* (hereafter, simply "Haartsen"). In Section 4 of the April 18, 2007 Office Action, the Examiner rejected Claims 3, 8, 18 and 23 under 35 U.S.C. §103(a) as being unpatentable over the Padovani reference and the Lindskog reference and in further view of U. S. Patent No. 6,141,566 to *Gerdisch et al.* (hereafter, simply "Gerdisch"). In Section 5 of the April 18, 2007 Office Action, the Examiner rejected Claims 4, 5, 9, 10, 19, 20, 24 and 25 under 35 U.S.C. §103(a) as being unpatentable over the Padovani reference and the Lindskog reference and in further view of U. S. Patent Application Publication No. 2003/0123479 to *Lee, et al.* (hereafter,

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simply "Lee"). In Section 6 of the April 18, 2007 Office Action, the Examiner rejected Claims 11, 12, 13, 26, 27 and 28 under 35 U.S.C. §103(a) as being unpatentable over the Padovani reference in view of the Lindskog reference and in view of Haartsen and in further view of Gerdisch. These rejections are respectfully traversed.

Claim 1 has been amended to recite an apparatus for supporting dual standards, comprising a sectored antenna system and an omni antenna system, wherein the sectored antenna system utilizes a first standard on a first frequency assignment and the omni antenna system utilizes a second standard on a second frequency assignment. Padovani describes a system with collocated base stations transmitting on a common frequency and a method for same frequency hard handoff. *Padovani, col. 12, lines 9-21*. Lindskog describes interference problems resulting from frequency reuse patterns in cellular radio communication systems and reducing such interference by using wide beam and narrow beam antennas in combination. *Lindskog, col. 1, lines 25-34; col. 2, lines 44-54*. The Applicants submit that neither reference describes an apparatus comprising a first antenna system using a first standard on a first frequency assignment and a second antenna system using a second standard on a second frequency assignment, as recited in amended Claim 1. Nor does either reference describe an apparatus comprising a sectored antenna system operating on a first frequency assignment and an omni antenna system operating on a second frequency assignment, as recited in amended Claim 1. The Applicants respectfully submit that Haartsen, Gerdisch and Lee do nothing to overcome the shortcomings of the Padovani and Lindskog references. As such, amended Claim 1 is patentable over the cited references.

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Independent Claims 6, 11, 16, 21 and 26 have been amended to recite analogous limitations to the novel and non-obvious limitations recited in amended Claim 1 and, therefore, also are patentable over the cited references. Dependent Claims 2-5, 7-10, 12-15, 17-20, 22-25 and 27-30 depend from independent Claims 1, 6, 11, 16, 21 and 26, respectively, and include all the limitations of their respective base claims. As such, Claims 2-5, 7-10, 12-15, 17-20, 22-25 and 27-30 also are patentable over the cited references.

The Applicant also disagrees with the Examiner's rejections of Claims 1-30 based on additional misdescriptions and/or misapplications of the Padovani, Lindskog, Haartsen, Gerdisch and Lee references to at least some of Claims 1-30. However, the Applicant's arguments regarding those other shortcomings of the Padovani, Lindskog, Haartsen, Gerdisch and Lee references are moot in view of the Claim 1 arguments above. The Applicant reserves the right to dispute in future Office Action responses the appropriateness and the applications of the Padovani, Lindskog, Haartsen, Gerdisch and Lee references to the claims of the present application, including the right to dispute assertions made by the Examiner in the April 18, 2007, Office Action.

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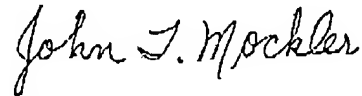
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PATENTSUMMARY

For the reasons given above, the Applicant respectfully requests reconsideration and allowance of the pending claims and that this application be passed to issue. If any outstanding issues remain, or if the Examiner has any further suggestions for expediting allowance of this application, the Applicant respectfully invites the Examiner to contact the undersigned at the telephone number indicated below or at *jmockler@munckbutrus.com*.

The Commissioner is hereby authorized to charge any additional fees connected with this communication or credit any overpayment to Deposit Account No. 50-0208.

Respectfully submitted,

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